

LAW OFFICES OF MIRIAM HISER  
MIRIAM HISER (SBN 129824)  
550 Montgomery Street, Suite 650  
San Francisco, California 94111  
Telephone: (415) 345-9234  
Facsimile: (415) 395-9372  
mhiser@hiserlaw.com

Attorney for Appellants  
BAYSIDE COURT OWNERS ASSOCIATION,  
LAURENCE JENNINGS, RAJ PATEL,  
JUSTIN HU, LAWRENCE DROUIN,  
and ANDREW CANTOR

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BAYSIDE COURT OWNERS  
ASSOCIATION, et al.,

Appellants.

v.

SARAH-JANE PARKER,

Appellee.

Case No. 4:19-cv-02588-YGR

**MOTION TO EXTEND TIME FOR  
FILING APPELLANT'S OPENING  
BRIEF; DECLARATION OF MIRIAM  
HISER IN SUPPORT**

I, Miriam Hiser, declare as follows:

1. I am counsel of record for Appellants Bayside Court Owners' Association, Laurence Jennings, Raj Patel, Justin Hu, Lawrence Drouin and Andrew Cantor ("Appellants") and Appellee Sarah-Jane Parker ("Appellee"). The following is within my personal knowledge and if called as witness would competently testify thereto.
2. On July 1, 2019, an Amended Certificate of Record was filed. The Amended Certificate was entered of record on July 3, 2019. This Court's Initial Order states that Appellant's Opening Brief is due 30 days from docketing of notice that the record has been transmitted or is available electronically. I have confirmed with court staff that Appellant's Opening Brief would be due July 31, 2019.

- 1           3.     I am out of state from July 28 to August 19, for my father's burial and celebration  
2           of life. My father died January 13, 2019, but could not be buried until the ground  
3           thawed in Michigan, where our family burial plots are. The actual burial date is  
4           August 2, in Mackinaw City, Michigan, and we are assembling people from  
5           around the country for the burial and following celebration of life. My widowed  
6           mother, who is wheelchair bound, will be brought there from the assisted living  
7           facility she resides in on the east coast by sister and will need to be taken care  
8           during this time period by my sister and I. I will be unable to do any professional  
9           work during this time period. I am a solo practitioner.
- 10          4.     I request a 60 day period of time to file Appellant's Opening Brief. Most of a  
11          thirty day extension would run while I am away.
- 12          5.     I requested an extension from counsel for Appellee. In my request, I cited this  
13          Court's civility guidelines, which, among other things, require counsel to  
14          accommodate reasonable requests for extensions of time.
- 15          6.     Counsel has refused, stating that my "**request for a continuance is a delaying**  
16          **tactic not supported by the facts**" and that I should already have the brief done.  
17          I have since sent to counsel both correspondence with the funeral home and my  
18          plane tickets, showing that I am out of state July 28 to August 18, 2019.
- 19          7.     I am making this request as soon as possible after the record was certified and the  
20          briefing period began to run. As a solo practitioner, I do tasks as they required by  
21          deadlines, as does every attorney I know.
- 22          8.     This is the first request for an extension of time in the appeal on this matter.  
23          Appellants do not oppose any extensions appellee may need or request.
- 24          9.     Accordingly, I respectfully request that I be granted an extension of time to file  
25          the Opening Brief in this case, and that I be allowed the simple human decency of  
26          burying my father in peace. I declare under penalty of perjury under the laws of  
27  
28

1 The State of California that the foregoing is true and correct and that this  
2 declaration was executed this 10th day of July, 2019, in San Francisco California.

3  
4 LAW OFFICES OF MIRIAM HISER

5 By: /s/ Miriam Hiser  
6 Miriam Hiser  
7 Attorneys for Appellants  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28